

INSTRUCTIONS

EXECUTION OF THE OATH OF OFFICE

*Pursuant to Tex. Const. art. XVI, § 1 (c) (amended 2001), the Oath of Office **may not** be taken until a signed statement (Statement of Elected/Appointed Officer or Pre-Oath Statement) has been filed with the Secretary of State, if required. The Statement is considered filed once it has been received by this office.*

*Gubernatorial appointees who are appointed during a legislative session **may not** execute their Oath until after confirmation by the Senate. Tex. Const. art. IV, § 12.*

ADMINISTRATION OF THE OATH OF OFFICE

The Oath of Office may be administered by anyone authorized under the provisions of Tex. Gov't Code Ann. § 602.002 or § 602.006. Commonly used officials include notaries public and judges.

The seal of the person administering the Oath should be visible. If the person is a notary public, Tex. Gov't Code Ann. § 406.013, requires that the seal be affixed in a way "that legibly reproduces the required elements of the seal under photographic methods".

FILING OF THE OATH OF OFFICE

After their Statement of Officer has been properly filed:

** Gubernatorial appointees, district judges, and district attorneys should file their Oaths of Office with the Secretary of State.*

** Directors of districts operating pursuant to Tex. Water Code Ann., Chapter 36 or 49, shall file with the Secretary of State a duplicate original of their Oath of Office within 10 days of its execution.*

** All other persons should file their Oaths locally. Please check with the county clerk, city secretary or board/commission secretary for the proper filing location.*

Officers who are required to file their Oath of Office with the Secretary of State should mail them to the Statutory Documents Section, P. O. Box 12887, Austin, Texas 78711-2887.

***** PLEASE DIRECT ANY QUESTIONS REGARDING THE OATH OF OFFICE
TO THE STATUTORY DOCUMENTS SECTION AT (512) 463-5705. *****